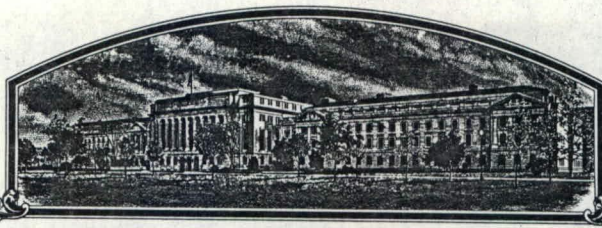


No.

8300107



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Western Plant Breeders, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS PROVIDED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BARLEY

'WestBred Gustoe'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington this 26th day of April in the year of our Lord one thousand nine hundred and eighty-five.

Attest:

Kenneth H. Evers
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

John R. Block
Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED
OMB NO. 40-R3822

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY BFP-79-22		1b. VARIETY NAME WestBred Gustoe		FOR OFFICIAL USE ONLY PV NUMBER 8300107	
2. KIND NAME Barley		3. GENUS AND SPECIES NAME <u>Hordeum vulgare</u>		FILING DATE 4/5/83	TIME 1:00 P.M.
4. FAMILY NAME (BOTANICAL) Graminea		5. DATE OF DETERMINATION 3-1-81		FEE RECEIVED \$ 1,000 \$ 500.00	DATE 4/5/83 4/1/85
6. NAME OF APPLICANT(S) WAB ACQUISITION INC. Western Plant Breeders, Inc. WESTERN PLANT BREEDERS, INC. CA MARYLAND CORPORATION		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P.O. Box 1110, 1918 West Van Buren Phoenix, Arizona 85001 ATTN: MR. ROBERT HUNTINGTON		8. TELEPHONE AREA CODE AND NUMBER (602) 257-1223	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation		10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Arizona Dec. 1, 1977		11. DATE OF INCORPORATION Dec. 1, 1977	
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: Dale R. Clark or Rob Huntington P.O. Box 1110 Phoenix, Arizona 85001 P.O. Box 1409, BOZEMAN, MONTANA					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☐ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) ☒ YES ☐ NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ YES ☒ NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

March 18, 1983
(DATE)

March 18, 1983
(DATE)

Dale R. Clark
(SIGNATURE OF APPLICANT)

Robert W. Huntington
(SIGNATURE OF APPLICANT)

8300107

13 A.

WestBred Gustoe was selected by Western Plant Breeders at Chandler, Arizona in the spring of 1978 as a single F_2 plant from the resultant F_2 bulk of the intercrossed short F_2 plants in the bulk F_2 of the cross CCXXXII-76 X Arivat. An F_3 row was grown at Conrad, Montana in the summer of 1978 and a plant selection from this row was grown as an F_4 plot at Chandler, Arizona in 1979. Six plants were selected from the F_4 plot and F_5 plant plots were grown at Conrad, Montana in the summer of 1979. Uniform plant plots were harvested, bulked and given the experimental number BFP-79-22. The resulting F_6 bulk and the successive F_7 and F_8 bulks were yield tested throughout the irrigated areas of Arizona, California, Idaho, Washington, Oregon, Utah, Colorado and Montana in 1980, 1981, and 1982. Plants were selected from the F_7 bulk in the spring of 1981 and grown as plant plots at Conrad, Montana in the summer of 1981. Uniform plots were harvested and bulked to produce approximately 1500 lbs of breeders seed. This seed was planted at Roll, Arizona in the fall of 1981 on 30 acres and the resulting production was harvested as Foundation seed and designated WestBred Gustoe.

WestBred Gustoe is a stable and uniform variety in agronomic appearance and performance across several generations and growing conditions. Agronomic data to support stability is presented in the tables.

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13 B.

WestBred Gustoe is a semidwarf, six rowed, spring barley, late in maturity with short, strong straw. WestBred Gustoe is most similar in phenotypic appearance to the variety Gus. WestBred Gustoe heads 2-5 days later than Gus and is 7-15 cm. shorter than Gus. The color of the heads of WestBred Gustoe is darker green at flowering than that of Gus due to the slight waxy coating. The above comparisons along with the complete objective description (13C.) show WestBred Gustoe to be a novel variety of spring barley.

7010088

Table Ia.

Yield in lbs per acre of WestBred Gustoe and presently grown varieties in Western Plant Breeders trials in the Southwestern United States.

<u>Location</u>	<u>Year</u>	<u>WestBred Gustoe</u>	<u>WestBred 501</u>	<u>Gus</u>	<u>Arivat</u>	<u>Prato</u>	<u>CM-72</u>	<u>Sunbar 40</u>
Phoenix, AZ	1980	6531	6635	5087	4208	6175	4647	6406
	1981	7238	5828	5922	5170	6063	4406	6063
	1982	8615	7744	7840	4792	5711	----	7841
El Centro, Ca.	1980	6239	5149	4208	----	5149	5840	4961
	1981	5650	5250	5100	5050	4800	3900	4300
Fresno, Ca.	1981	4730	4235	4180	----	3850	----	----
Davis, Ca.	1980	6239	5530	5672	----	5388	3120	----
	1981	4290	4510	3410	----	3575	----	----
King City, Ca.	1982	4659	3942	4250	----	4710	3686	----

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Table Ib.

Yield in lbs. per acre of WestBred Gustoe and presently grown varieties in Western Plant Breeders Trials in the Northwestern United States.

<u>Location</u>	<u>Year</u>	<u>WestBred Gustoe</u>	<u>WestBred 501</u>	<u>Gus</u>	<u>Steptoe</u>	<u>Kombar</u>
Nampa, Id.	1981	6900	6200	5850	5900	6000
Burley, Id.	1981	7607	7600	6756	5798	----
	1982	7475	7014	6810	6656	6912
Tremonton, Ut.	1981	5900	5350	4550	3750	6000
	1982	7219	5939	5786	6195	6554
Conrad, Mt.	1981	6090	5278	5152	6496	----
Merrill, Or.	1982	8040	6700	6700	7370	----

Table Ic.

Yield in lbs. per acre of WestBred Gustoe
and presently grown varieties in Public
Trials.

<u>Location.</u>	<u>Year</u>	<u>WestBred Gustoe</u>	<u>WestBred 501</u>	<u>Gus</u>	<u>Arivat</u>	<u>Prato</u>	<u>CM-72</u>	<u>Steptoe</u>
Univ. of Az.								
Mesa, Az.	1982	6609	6067	6454	5697	6618	5459	--
Safford, Az.	1982	5591	5097	5273	--	4730	--	--
Univ. of Ca.								
Sutter, Co.	1982	5650	4630	6280	--	4100	3400	--
U.C. Davis	1982	5070	3820	4330	--	5390	3510	--
Yolo, Co.	1982	2310	1760	2300	--	2700	2560	--
Merced, Co.	1982	4600	3700	3720	--	4800	4800	--
Kings, Co.	1982	4810	5230	4910	--	4600	4480	--
Tulelake	1982	6830	6110	6960	--	5540	--	6580
Colorado St. Univ.								
Fort. Collins	1982	5817	4934	5347	--	--	--	6364
Rocky Ford (Irrigated)	1982	4498	3648	3979	--	--	--	3787
Rocky Ford (limited Irr.)	1982	4113	3403	3859	--	--	--	3955
Oregon St. Univ.	1982	5816	4536	4081	--	--	--	5622
Hermiston								

Table II.

Plant height (inches) of WestBred Gustoe and presently grown varieties in Western Plant Breeders trials.

<u>Location</u>	<u>Year</u>	<u>WestBred Gustoe</u>	<u>WestBred 501</u>	<u>Gus</u>	<u>Arivat</u>	<u>Prato</u>	<u>Steptoe</u>	<u>Kombar</u>
Phoenix, Az	1980	36	36	41	46	41	--	--
	1981	31	31	37	45	37	--	--
	1982	32	36	38	45	37	--	--
Fresno, Ca	1981	29	32	35	--	33	--	--
Davis, Ca	1980	28	33	35	--	42	--	--
El Centro, Ca	1980	29	35	35	40	34	--	--
Nampa, Id.	1981	30	33	38	--	--	49	37
Burley, Id.	1981	30	31	33	--	--	39	--
Tremonton, Ut.	1981	31	31	35	--	--	44	33
	1982	27	28	28	--	--	36	31

Table III

Heading dates of WestBred Gustoe
and presently grown varieties in
Western Plant Breeders trials.

<u>Location</u>	<u>Year</u>	<u>WestBred Gustoe</u>	<u>WestBred 501</u>	<u>Gus</u>	<u>Arivat</u>	<u>Prato</u>	<u>CM-72</u>	<u>Steptoe</u>
Phoenix, Az.	1980	3/29	3/20	3/24	3/13	3/17	3/1	--
	1981	3/28	2/19	3/23	3/15	3/19	3/13	--
	1982	3/18	3/12	3/16	3/9	3/11	--	--
Conrad, Mt.	1982	7/10	7/3	7/5	--	7/4	--	7/5

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Table IV.

Lodging (percentage) of WestBred Gustoe and presently grown varieties in Western Plant Breeders and public trials.

<u>Location</u>	<u>Year</u>	<u>WestBred Gustoe</u>	<u>WestBred 501</u>	<u>Gus</u>	<u>Arivat</u>	<u>Prato</u>	<u>CM-72</u>	<u>Steptoe</u>
Phoenix, Az.	1980	0	0	10	75	75	100	--
	1981	0	0	0	15	10	25	--
	1982	0	0	0	100	100	--	--
Davis, Ca	1981	0	0	0	--	100	100	--
Fresno, Ca.	1981	0	0	10	--	50	80	--
Nampa, Id.	1981	0	0	15	--	--	--	100
Tremonton Ut.	1981	25	0	0	--	--	--	100
	1982	25	0	15	--	--	--	60
Burley, Id.	1981	0	0	0	--	--	--	75
	1982	20	0	0	--	--	--	100
Mesa, Az.	1982	0	0	0	36	4	100	--

8300107

OBJECTIVE DESCRIPTION OF VARIETY
BARLEY (*HORDEUM VULGARE*)

INSTRUCTIONS: See Reverse.

NAME OF APPLICANT(S)

Western Plant Breeders, Inc.

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

P.O. Box 1110 Phoenix, Arizona 85001

FOR OFFICIAL USE ONLY

PVPO NUMBER

8300107

VARIETY NAME OR TEMPORARY DESIGNATION

WestBred Gustoe

Place the appropriate number that describes the varietal character of this variety in the boxes below.
Place a zero in first box (i.e. or) when number is either 99 or less or 9 or less.

1. GROWTH HABIT:

1 = SPRING 2 = FACULTATIVE WINTER 3 = WINTER Early Growth: 1 = PROSTRATE 2 = SEMIPROSTRATE
3 = ERECT

2. MATURITY (50% Flowering):

1 = EARLY (California Mariout) 2 = MIDSEASON (Betzes) 3 = LATE (Frontier)

No. of days Earlier than } 1 = BETZES 2 = CALIFORNIA MARIOUT 3 = CONQUEST 4 = DICKSON
 No. of days Later than } 5 = PIROLINE 6 = PRIMUS 7 = UNITAN

3. PLANT HEIGHT (From soil level to top of head):

1 = SEMIDWARF 2 = SHORT (California Mariout) 3 = MEDIUM TALL (Betzes) 4 = TALL (Conquest)

Cm. Shorter than } 1 = BETZES 2 = CALIFORNIA MARIOUT 3 = CONQUEST 4 = DICKSON
 Cm. Taller than } 5 = PIROLINE 6 = PRIMUS 7 = UNITAN
X = taller than none

4. STEM:

Exertion (Flag to spike at maturity): 1 = 0 - 3 cm. 2 = 3 - 10 cm. Anthocyanin: 1 = ABSENT 2 = PRESENT
3 = 10 - 15 cm.

NO. OF NODES (Originating from node above ground)

Collar Shape: 1 = CLOSED 2 = V-SHAPED 3 = OPEN Shape of Neck: 1 = STRAIGHT 2 = SNAKY
4 = MODIFIED CLOSED OR OPEN 3 = OTHER (Specify)

5. LEAF:

Basal leaf sheath (seedling): 1 = GLABROUS 2 = PUBESCENT Position of flag leaf (at boot stage): 1 = DROOPING
2 = UPRIGHT

Waxiness: 1 = ABSENT (Glossy) 2 = SLIGHTLY WAXY MM. WIDTH (First leaf below flag leaf)
3 = WAXY

CM. LENGTH (First leaf below flag leaf) Anthocyanin in leaf sheath: 1 = ABSENT 2 = PRESENT

6. HEAD:

Type: 1 = TWO-ROWED 2 = SIX-ROWED Density: 1 = LAX 2 = ERECT (Not dense)
3 = ERECT (Dense)

Shape: 1 = TAPERING 2 = STRAP 3 = CLAVATE Waxiness: 1 = ABSENT (Glossy) 2 = SLIGHTLY WAXY
4 = OTHER (Specify) 3 = WAXY

Lateral Kernels Overlap: 1 = NONE 2 = AT TIP Rachis (Hair on edge): 1 = LACKING 2 = FEW 3 = COVERED
3 = 1/4 - 1/2 OF HEAD

7. GLUME:

Length: 1 = 1/3 OF LEMMA 2 = 1/2 OF LEMMA Hairs: 1 = NONE 2 = SHORT 3 = LONG
3 = MORE THAN 1/2 OF LEMMA

Hair covering: 1 = NONE 2 = RESTRICTED TO MIDDLE 3 = CONFINED TO BAND 4 = COMPLETELY COVERED

Awns: 1 = LESS THAN EQUAL TO LENGTH OF GLUMES 2 = EQUAL TO LENGTH OF GLUMES
3 = MORE THAN EQUAL TO LENGTH OF GLUMES

Awn Surface: 1 = SMOOTH 2 = SEMISMOOTH 3 = ROUGH

830010

8. LEMMA:

Awn: 1 = AWNLESS 2 = AWNLETS ON CENTRAL ROWS, AWNLESS ON LATERAL ROWS
 3 = SHORT ON CENTRAL ROWS, AWNLETS ON LATERAL ROWS 4 = SHORT (less than equal to length of spike)
 5 = LONG (longer than spike) 6 = HOODED

Awn Surface: 0 = AWNLESS 1 = SMOOTH 2 = SEMISMOOTH 3 = ROUGH

Teeth: 1 = ABSENT 2 = FEW 3 = NUMEROUS Hair: 1 = ABSENT 2 = PRESENT

Shape of base: 1 = DEPRESSION 2 = SLIGHT CREASE 3 = TRANSVERSE CREASE Rachilla Hairs: 1 = SHORT 2 = LONG

9. STIGMA:

Hairs: 1 = FEW 2 = MANY

10. SEED:

Type: 1 = NAKED 2 = COVERED Hairs on Ventral Furrow: 1 = ABSENT 2 = PRESENT

Length: 1 = SHORT (8.0 mm.) 2 = SHORT TO MIDLONG (7.5 - 9.0 mm.) 3 = MIDLONG (8.5 - 9.5 mm.)
 4 = MIDLONG TO LONG (9.0 - 10.5 mm.) 5 = LONG (10.0 mm.)

Wrinkling of hull: 1 = NAKED 2 = SLIGHTLY WRINKLED 3 = SEMIWRINKLED 4 = WRINKLED

Aleurone Color: 1 = COLORLESS (White or Yellow) 2 = BLUE

PERCENT ABORTIVE GMS. PER 1000 SEEDS

11. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

<input type="text" value="0"/> SEPTORIA	<input type="text" value="2"/> NET BLOTCH	<input type="text" value="0"/> SPOT BLOTCH	<input type="text" value="1"/> POWDERY MILDEW
<input type="text" value="1"/> LOOSE SMUT	<input type="text" value="1"/> BACTERIAL BLIGHT	<input type="text" value="1"/> COVERED SMUT	<input type="text" value="1"/> FALSE LOOSE SMUT
<input type="text" value="0"/> STEM RUST	<input type="text" value="2"/> LEAF RUST	<input type="text" value="0"/> SCAB	<input type="text" value="2"/> SCALD
<input type="text" value="0"/> AY	<input type="text" value="0"/> BSMV	<input type="text" value="1"/> BYDV	<input type="text"/> OTHER (Specify)

12. INSECT: (0 = Not tested, 1 = Susceptible 2 = Resistant)

<input type="text" value="0"/> GREEN BUG	<input type="text" value="1"/> ENGLISH GRAIN APHID	<input type="text" value="0"/> CHINCH BUG	<input type="text" value="0"/> ARMYWORM
<input type="text" value="0"/> GRASS HOPPERS	<input type="text" value="0"/> CERIAL LEAF BETTLE	<input type="text" value="0"/> OTHER (Specify) _____	
HESSIAN FLY RACES	<input type="text" value="0"/> GP	<input type="text" value="0"/> A	<input type="text" value="0"/> B
	<input type="text" value="0"/> D	<input type="text" value="0"/> E	<input type="text" value="0"/> F
		<input type="text" value="0"/> C	<input type="text" value="0"/> G

13. CHEMICAL (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

DDT OTHER (Specify) _____

14. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant tillering	Gus	Seed size	WestBred 501
Leaf size	Gus	Coleoptile elongation	Gus
Leaf color	Gus	Seedling pigmentation	Gus
Leaf carriage	Gus		

REFERENCES: The following publications may be used as a reference aid for the standardization of character descriptions and terms used in this form:

1. Wiebe, G. A., and D. A. Reid, 1961, Classification of Barley Varieties Grown in the United States and Canada in 1958, Technical Bulletin No. 1224, U.S. Dept. of Agriculture.
2. Reid, D. A., and G. A. Wiebe, 1968, Barley: Origin, Botany, Culture, Winter Hardiness, Genetics, Utilization, Pests, Agriculture Handbook No. 338, U.S. Dept. of Agriculture. pp. 61 - 84.
3. Malting Barley Improvement Association, Milwaukee, Wisconsin, 1971, Barley Variety Dictionary.

COLOR: Nickerson's or any recognized color fan may be used to determine color of the described variety.

STATE OF ARIZONA)
) ss.
County of Maricopa)

ASSIGNMENT

WHEREAS, WESTERN PLANT BREEDERS, INC., an Arizona corporation (a/k/a) WESTERN PLANT BREEDERS), having its principal place of business at Phoenix, Arizona, has adopted, used and is using the following Certificate of Protection which is registered in the Plant Variety Protection Office of the Secretary of Agriculture:

Certificate No. 8300107 WestBred Gustoe Barley

WHEREAS, WPB ACQUISITION INC., a Maryland corporation, having its principal place of business in Hayward, California, is desirous of acquiring said Plant Variety Protection Certificate; and

WHEREAS, WESTERN PLANT BREEDERS, INC., states that it has title to the above Certificate and that this transfer does not violate any applicable ruling or order of any court or agency of competent jurisdiction.

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, WESTERN PLANT BREEDERS, INC. does hereby assign and set over to WPB ACQUISITION INC., all of the right, title and interest of WESTERN PLANT BREEDERS, INC., in and to the variety of barley named:

"WestBred Gustoe"

together with all goodwill associated with that variety and that name, and together with all rights under and to that Certificate of Plant Variety Protection, No. 8300107, issued by the Secretary of Agriculture of the United States of America on April 26, 1985.

WESTERN PLANT BREEDERS, INC.

By Albert E. Carleton
Albert E. Carleton, President

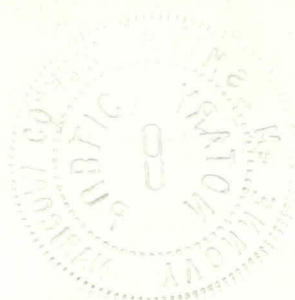
On this 30th day of September, 1985, before me, appeared Albert E. Carleton, to me personally known, who, being by me duly sworn, did say that he is the president of WESTERN PLANT BREEDERS, INC., an Arizona corporation, and that the foregoing Assignment is on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Phoenix, Arizona the day and year last above written.

James M. Bates aka James M. Smith
Notary Public

My Commission Expires:

November 3, 1986



RECEIVED

OCT 8 1985



AMS
PVPO